

Message Text

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SUBJ: FEDERAL LAW ON FOREIGN INFORMATION ACTIVITIES

REF: BELGRADE 3606

1. NEW LAW ON "IMPORTATION AND DISTRIBUTION OF FOREIGN MASS COMMUNICATION MEDIA AND FOREIGN INFORMATION ACTIVITY IN YUGO-SLAVIA" WAS PUBLISHED IN SLUZBENI LIST (OFFICIAL GAZETTE) NO. 39, AUGUST 2, 1974, PAGE 1292 FF. COPIES OF GAZETTE AND TRANSLATION HAVE BEEN FORWARDED TO DEPT.

2. NEW LAW REPLACES ONLY THE FOREIGN INFORMATION ACTIVITIES SECTION IN PREVIOUS INFORMATION LAW WHICH TECHNICALLY EXPIRED END OF 1971 BUT WAS STILL BEING ENFORCED UNTIL NEW LAW TOOK EFFECT AUGUST 10, 1974. SECTION ON DOMESTIC INFORMATION OPERATIONS IN FORMER LAW IS PRESUMABLY STILL BEING ENFORCED. NEW LAW DEVOTES MORE THAN TWICE AS MANY ARTICLES TO ELABORATING IN MORE DETAIL PROVISIONS REGULATING VARIOUS TYPES OF FOREIGN INFORMATION ACTIVITIES: DISTRIBUTION OF FOREIGN PUBLICATIONS, NEWS GATHERING BY FOREIGN MEDIA, FILM-MAKING, AND ACTIVITIES OF FOREIGN INFORMATION INSTITUTIONS, OF WHICH SIX USIS INFORMATION CENTERS ARE EXAMPLES.

INCREASED REGULATORY ROLE OF FEDERAL SECRETARIAT FOR INTERNAL AFFAIRS (SSUP) IN LAW MAY BE MORE APPARENT THAN REAL SINCE SSUP HAD ALREADY LIMITED OFFICIAL USE

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ASSUMED BROAD RESPONSIBILITIES UNDER LOOSER PROVISIONS OF OLD

LAW.

3. ANTI-POLLING PROVISION, WHICH ORIGINALLY CAUSED STIR AMONG FOREIGN CORRESPONDENTS (REFTEL) IN FACT HAD ANTECEDENT IN OLD LAW. THUS, FEDERAL COMMITTEE FOR INFORMATION COULD GIVE CORRESPONDENTS ASSURANCE THAT LAW INTRODUCES NO NEW PROVISIONS IN THIS RESPECT, BUT IN SO DOING PERHAPS BEGGED QUESTION WHETHER GOY COULD DECIDE AT SOME POINT TO ENFORCE ANTI-POLLING PROVISION SO AS TO PREVENT NEWSMEN FROM CONDUCTING ROUTINE INTERVIEWS WITH YUGOSLAV CITIZENS.

4. PROVISION BANNING IMPORTATION AND DISTRIBUTION OF BADGES, SLIDES, VIDEOTAPES AS WELL AS BOOKS AND PUBLICATIONS APPLIES ONLY IF OBJECT DEALS WITH ILLEGAL SUBJECT SUCH AS INSULT TO CHIEF OF STATE OR YUGOSLAV NATIONALITY; INCITEMENT TO DISORDER, OR DISTURBANCE OF YUGOSLAVIA'S FUNDAMENTAL POLITICAL SYSTEM OR SECURITY. THIS LAST CATEGORY OF PROSCRIBED SUBJECTS IS NEW AND COULD BE CAUSE FOR CONCERN SINCE IT IS SUBJECT TO BROAD INTERPRETATION.

5. PROVISIONS ON OPERATION OF FOREIGN INFORMATION INSTITUTIONS MAY PLACE ADDITIONAL CONTROLS ON USIS INFORMATION OPERATIONS (BUT NOT CULTURAL ACTIVITIES, WHICH ENJOY DIPLOMATIC STATUS THROUGH EMBASSY). ALL SIX USIS INFORMATION CENTERS COME UNDER PURVIEW OF LAW. A "SPECIAL PERMIT" IS REQUIRED TO BRING IN BOOKS FOR USE IN READING ROOMS AND LIBRARIES AND A LIST OF ALL PUBLICATIONS "WHICH HAVE BEEN BROUGHT IN" FOR THIS PURPOSE MUST BE SUBMITTED TO SSUP. USIS IS SEEKING CLARIFICATION OF THESE PROVISIONS TO DETERMINE WHETHER THEY SIGNIFY CHANGES FROM PREVIOUS PRACTICE OF ALLOWING IMPORTATION OF PUBLICATIONS UNDER CONTINUING AUTHORIZATION OF A ONE-TIME PERMIT. REQUIREMENT TO LIST ALL IMPORTED PUBLICATIONS WILL BE DIFFICULT PROBLEM FOR USIS ONLY IF APPLIED RETRO-

ACTIVELY TO 17,000 TITLES IN INVENTORY. USIS ALSO PLANS TO SEEK CLARIFICATION WHETHER ANOTHER PROVISION REQUIRING A PERMIT TO DISTRIBUTE PUBLICATIONS WILL ALSO APPLY TO CIRCULATION OF BOOKS OUT OF USIS LIBRARIES.

6. OF POTENTIALLY GREATER SIGNIFICANCE IS SEEMINGLY OPEN-ENDED PROVISION

EMPOWERING AUTHORITIES TO LIMIT OR FORBID ACTIVITIES OF INFORMATION INSTITUTIONS, FOREIGN CORRESPONDENTS, AND TOURIST INFORMATION LIMITED OFFICIAL USE

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AGENCIES; THERE IS NO APPEAL TO RULINGS MADE UNDER THIS PROVISION.

7. PENALTIES: LAW SPECIFIES MINIMUM OF THREE MONTHS IMPRISONMENT FOR THOSE WHO VIOLATE BAN ON IMPORTATION OR DISTRIBUTION OF INFORMATION MATERIALS. ALL OTHER PENALTIES ARE FINES WHICH HAVE BEEN SUBSTANTIALLY INCREASED OVER THOSE IMPOSED BY FORMER LAW. WHILE ITS GREATEST FINE WAS 5,000 NEW DINARS (ABOUT \$350 AT CURRENT EXCHANGE RATE) FINES IN NEW LAW RANGE FROM 10,000 TO

50,000 DINARS (700 TO 3,500). YUGOSLAV ORGANIZATIONS (LAW USES TERM BASIC ORGANIZATIONS OF ASSOCIATED LABOR IN PLACE OF ENTERPRISE IN OLD LAW IN ORDER TO CORRESPOND WITH TERMINOLOGY IN NEW YUGOSLAV CONSTITUTION), SUCH AS PRINTING FIRMS AND THEIR MANAGERS CAN BE FINED FOR NONCOMPLIANCE WITH PROVISIONS OF LAW, E.G., FAILURE TO OBTAIN REQUIRED PERMITS OR TO COMPLY WITH CENSORSHIP PROVISIONS. FOREIGN INFORMATION INSTITUTIONS ARE ALSO SUBJECT TO FINES IF THEY DO NOT COMPLY WITH LAW, E.G., IF THEY FAIL TO REGISTER EMPLOYEES, SUBMIT REQUIRED REPORTS OR DO NOT PROPERLY IDENTIFY ORIGIN OF PUBLICATIONS THEY DISTRIBUTE (ALL OF WHICH USIS ALREADY DOES ROUTINELY).

CONTRARY TO EARLIER INFORMATION WE RECEIVED (REFTEL, HOWEVER, PENALTY PROVISIONS ARE NOT DIRECTED AT INDIVIDUAL YUGOSLAV CITIZENS, BUT RATHER PLACE RESPONSIBILITY FOR COMPLIANCE WITH LAW ON FOREIGN INSTITUTIONS AND THEIR REPRESENTATIVES AND FEW DOMESTIC ORGANIZATIONS AND PERSONS WHO ARE DIRECTLY ENGAGED IN IMPORTATION AND DISSEMINATION OF INFORMATION OF FOREIGN ORIGIN.

8. NET EFFECT OF NEW LAW WILL DEPEND ON HOW IT IS INTERPRETED AND APPLIED. AT MINIMUM, IT WILL RESULT IN A CLOSER SCRUTINY OF ALL FOREIGN INFORMATION ACTIVITIES AND A SOMEWHAT FINER SCREENING OF FOREIGN INFORMATION REACHING YUGOSLAV PUBLIC. BASED ON INFORMATION AVAILABLE ON NEW LAW AS OF NOW, AND OUR EXPERIENCE WITH OLD LAW, WE DO NOT EXPECT OPERATION OF NEW LAW TO HAVE IMMEDIATE SERIOUS OR OBJECTIONAL BE IMPACT ON EMBASSY ACTIVITIES.
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